

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

ANTWAUN DEW,)	
)	
Plaintiff,)	
)	Case No. 23-cv-2898-RJD
vs.)	
)	
WEXFORD HEALTH SERVICES,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

DALY, Magistrate Judge:

On October 31, 2023, the Court attempted to commence service of process on Wexford Health Services. (Doc. 13). However, Wexford refused to accept the waiver of service form because Wexford was misidentified as Wexford Health Services, instead of as Wexford Health Sources, Inc.. (Docs. 16-17). On December 1, 2023, the Court notified Plaintiff of the problem with the waiver of service and invited him to supply any additional identifying information for Wexford by December 22, 2023. (Doc. 17). Plaintiff was warned that a failure to do so may result in the dismissal of this action. On January 8, 2024, the Court noted Plaintiff still had not responded, and it gave him an additional 14 days and again warned his case would be dismissed if he did not respond. (Doc. 18); *see also* Fed. R. Civ. P. 41(b); *James v. McDonald's Corp.*, 417 F.3d 672, 681 (7th Cir. 2005) (under Rule 41(b) a court has authority to dismiss an action for failure to prosecute if a party does not provide a timely response to a court order). The Court has not received any correspondence from Plaintiff about this case since September 19, 2023. (Doc. 11). Plaintiff has failed to meet the two recent deadlines to properly identify Wexford, and this case is now subject to dismissal for failure to prosecute.

The Court also notes that on August 29, 2023, Plaintiff was directed to pay an initial partial filing fee of \$30.67. (Doc. 7). This amount has not been received by the Court. The Clerk of Court does not need to continue efforts to collect a fee in this matter as it is being fully dismissed by this Order. The Clerk of Court is **DIRECTED** to enter judgment accordingly, and to close this case.

IT IS SO ORDERED.

Dated: February 6, 2024

/s/ Reona J. Daly
Reona J. Daly
United States Magistrate Judge